

Dif: - 28 / 01 / 2005

QORTI CIVILI – PRIM'AWLA
ONOR QORTI GEOFFREY VALENZIA

Illum 19 ta' Novembru 2004

Citazzjoni Numru: - 411 / 1999

Scerri Diacono Av Dr Jotham noe

Vs.

Azzopardi Av Dr Joseph et noe

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original Document**
M. F. H.
**Date: Canedo & Associates
Advocates**
13/06/07

Audrey Cefai, bil- gurament, bil- Malti tghid:

Jiena kont is- segretaja ta' Philatov. Ic- cekijiet li kien johrog Philatov kont nimlijhom jiena. niftakar li Philatov kien xtara yacht, ma nafx jekk il- yaucht kienx tieghu personali jew tal- kumpannija. Ma niftakarx kif sar il- pagament ghall- dan il- yacht, ma nafx minn liema flus kien thallas dan il- yacht, kien pleasure yacht, ma kienx jintuza ghax- xoghol taghhom. Philatov kien ihallas biex dan il- yacht issirlu l- maintenance. Ma nafx minn liema cheque book kienu jsiru l- pagamenti. Ic- cekijiet kienu johorgu minn l- ufficju pero' ma nafx minn liema cheque book. Propjament ic- cekijiet kienu jimtlew fl- ufficju. Il- mara ta' Philatov kellha karozza Oper Corsa, kienet inxtrat meta Philatov kien direttur. Ma nafx min hallas ghall- karozza. Cekijiet dwar pagamenti fuq din il- karozza kienu jintbghatu mill- ufficju. Philatov kellu karozza, kellu Volvo, ma nafx jekk kienx xtraha jew tawielux rigal. It- tifla ta' Philatov kienet mal- familja jisimha Anna, kienet tmur skola hawn Malta, il- Verdala International School. Ma nafx jekk il- pagamenti ta' l- iskola tat- tifla kienux isiru mill- ufficju. Naf li kien hemm zewg karozzi ohra Peugeot 205, ma niftakarx jekk kienux isiru pagamenti fix- xahar ghall- dawn iz- zewg karozzi. Minghalija fuq dawn iz- zewg karozzi wkoll kienu

jinhargu cekkijiet. Philatov kien isiefer ta' spiss, anke l- Amerika kien imur. Ma nafx jekk Kama Shipping kellomx business ma' l- Amerika. Trevor kienu wkoll jithallsu b' cekkijiet mill- ufficju, kien jithallas il- biljett ta' l- ajru, naf li tieghu kien jithallas, ma nafx jekk tal- familja kienx jithallas ukoll. Dwar l- inkwiet li nqala fuq il- pagamenti li kienu jsiru ma naf xejn. Ma kontx naf li bejn id- diretturi kien hemm xi dizgwid. ... kien hemm anke bejn Vasilev u Philatov. Minghalijja fuq ic- cekkijiet kien jiffirma Philatov biss.

Kontro – Ezami riservat.

Is- sustanza tax- xhieda ta' Audrey Cefai giet dettata mill- Qorti u mix- xhud stess fil- presenza taghha.

Imhallef

Niddikjara li ttraskrivejt ir- registrazzjoni tat- tape onestament u fedelment u bl- ahjar taghrif u hila tieghi.

J. Abela

Traskrittrici

Fil-Prim'Awla tal-Qorti Civili
Onor. Imhalled Geoffrey Valenzia LL.D.

Seduta ta' nhar it-Tnejn 20 ta' Marzu 2003

Kawza Nru 9

Citazzjoni Nr 411/1999/1

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original Document*
M. Fik
Date: 13/06/07
Ganado & Associates
Advocates

Dr Scerri Diacono Jotham Noe

-vs-

Dr Joseph Azzopardi et Noe

Audrey Cefai prodotta mill-attur bil-gurament bil-Malti tghid:-

Qorti: Jiena naf lil Stanislaw Filatof kont nahdem mieghu xi tnax, tlettax-il sena ilu. Kont segretarja tieghu. Kont familjari mal-kumpaniji li kien imexxi dan Filatof. Hu kien imexxi dawn il-kumpaniji u kien il-kap ta' dawn il-kumpaniji u kellu nies ohrajn jahdmu mieghu. Dwar flus jiena qatt ma dthalt fi kwistjonijiet bhalhom.

Jidhirli Filatof kien wiehed minn dawk li jiffirma c-cheques. Ma nafx jekk kienx hemm haddiehor fuq Filatof. L-ordnijiet jiena kont nircevihom minn ghandu. Ma nafx jekk hu kienx jircievi ordnijiet minghand haddiehor. Ma nafx jekk id-decizzjonijiet kienx jehodhom wahdu. Domanda

Avukat: tafx qed nghidilha tafx jekk kellu relazzjoni mal-kumpanija konvenuta rigward river sea

Xhud: iva river sea iva ma nafx jekk semmejtiex

Avukat: le ma semmejtiex

Qorti: hu kellu relazzjoni mal-kumpanija river sea, il-kumpanija konvenuta. Kellu wkoll relazzjoni ma' E.I. Holdings Limited. Naf li kien imexxi dawn il-kumpaniji pero ma nafx jekk kienux tieghu biss. Jiena ma kontx inkun involuta fix-xoghol ta' dawn il-kumpaniji. Kont naghmel ix-xoghol ta' segretarja. Ma kontx nidhol fid-dettalji ta' dawn il-kumpaniji.

Mal-banek kien ikollu x'naqsam jiena kont nircevi struzzjonijiet minghandu biex naghmel transfer f'kontijiet fil-banek. Dawn l-ittri kienu jkunu ffirmati minnu biss. L-istruzzjonijiet li jiena kont nircievi kienu dejjem minn ghandu biss. Anke in konnessjoni mal-kontijiet bankarji li semmejt ma' dawn il-kumpaniji. Personalment ma nafx jekk kienux isiru auditing u accounting.

Lil Vasilef naf minn hu, dan kien jahdem ghal Filatof. Dan kien jahdem fix-shipping mieghu. Filatof kien jaghti l-ordinijiet lil Theodor Vasilef. Stajt inhoss li

kien hemm dizgwid bejn dawn it-tnejn pero qatt ma ggiieldu quddiemi. Ma nafx fuq hiex kien dan id-dizgwid. Ma nafx jekk dan id-dizgwid kien fuq il-flus tal-kumpaniji. Jiena na nafx jekk il-mother company Kama ghamlitx xi investigazzjoni minn barra fuq dawn il-flus. Ma Vasilef jiena qatt ma tkellimt dwar il-problemi fuq flus.

Ri-Ezami:

Qorti: Filatof kellu kontijiet differenti. Fuq dawn il-kumpaniji li semmejt kien jiffirma Filatof biss. Minghalija wahdu kien jiffirma dawn il-kumpaniji

Kontro-ezami ulterjuri riservat.

Din is-sustanza tax-xhieda giet ddettata mill-Qorti lix-xhud fil-presenza taghha.

Niddikjara li traskrivejt fis-sewwa u fedelment u skond l-ahjar taghrif u hila tieghi t-traskrizzjoni tat-tape.



Doris Camilleri
Traskrittrici

Adjourned to the 28 January 2005

**First Hall of the Civil Court
Mr Justice Geoffrey Valenzia**

Today the 19th of November 2004
Writ of Summons 411/1999

Scerri Diacono Adv Dr Jotham noe
Versus
Azzopardi Adv Dr Joseph et noe

Audrey Cefai, under oath, in maltese says:

I was the secretary of (Mr.) Filatov. It was I who used to fill in the cheques that were issued by Mr. Filatov. I remember Filatov buying a yacht – I do not know if the yacht was his or belonged to a company. I do not remember how payment for this yacht was made, I do not remember what money was used to have this yacht paid, it was a pleasure yacht, it was not used for their work. Filatov used to pay money to have maintenance carried out on this yacht. I do not know which cheque book was used to make the payments. The cheques were sent out from the office but I do not know which cheque book was used. To be more precise the cheques were filled in, in the office. The wife of Filatov had a car, an Opel Corsa, this was purchased when Filatov was a director. I do not know who paid for the car. Filatov had a car. He had a Volvo, I do not know if he had purchased this or whether this was gifted to him. The daughter of Filatov stayed with her family, her name was Anna, and she used to go to school in Malta, Vedala International School. I do not know if her tuition fees were paid from the office. I am aware that there were two other cars Peugeot 205, but I do not know if payments were done on a monthly basis for these two cars. If I am not mistaken in regard to these two cars cheques were also issued. Filatov used to abroad frequently, he even used to go to America. I do not know if Kama Shipping had business in America. Trevor Were also paid by cheques from the office, the airfare was paid, I know it was paid, I do not know if his family was paid as well. I did not know that there were clashes between the directors ... there were also between Vassilev and Filatov. If I am not mistaken it was Filatov alone who signed cheques.

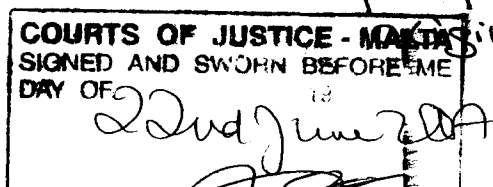
The right to cross examine the witness is being reserved.

This is in substance the evidence of audrey Cefai dictated by the Court, and by the witness herself, in her presence.

Judge

I declare that I transcribed the registration on the tape honestly and faithfully and to the best of my knowledge and abilities.

J Abela
Trancier



I confirm on oath that this is a faithful translation into English of the original version in Maltese

*M. Fikien
Madeleine Fikien
Legal Practitioner*

**First Hall of the Civil Court
Mr. Justice Geoffrey Valenzia**

Today the 20.3.2003

Case Number on the List - 9

Writ of Summons 411/1999/1

Scerri Diacono Adv Dr Jotham noe

Versus

Azzopardi Adv Dr Joseph et noe

Audrey Cefai, produced by plaintiffs, under oath and in Maltese says:

(Court summarises) I know Stanislav Filatov, I used to work with him 12 or 13 years ago. I was his secretary. I was familiar with the companies that Filatov used to run. He used to operate these companies and was the head of these companies and had other people working with him. In regard to money, I never got involved in such matters. If I am not mistaken, Filatov was a signatory on the cheques that were issued. I do not know if there was somebody superior to Filatov. I would obtain my orders from Filatov. I am not sure if he received orders from others. I am not sure if he took decisions alone.

(Question by Advocate) Do you know whether he had any relationship with the defendant company, regarding River Sea ...

(Witness) Yes, river sea yes, I am not sure if I mentioned it.

(Advocate) No, you did not mention it

Court summarises) He had a relationship with the company 'River Sea', the defendant company. He also had a relationship with E. I. Holdings Limited. I know that he used to run these companies but I do not know if they were only his. I was not involved in the work for these companies. I worked as a secretary. I did not go into the detail of these companies.

Insofar as the banks were concerned, I was involved. I used to receive instructions from him to make transfers to bank accounts. These letters he alone used to sign. The instructions that I used to receive would only come from him. Even in regard to the bank accounts of the companies I mentioned. Personally, I do not know if audits or accounting were held.

I know who Vassilev is, he used to work for Filatov. He worked in shipping with him. Filatov would give orders to Todor Vassilev. I could feel that there was some sort of disagreement between them but they would never quarrel in front of me. I do not know about what they disagreed. I do not know if they disagreed about company money. I do not know if the 'mother company' Kama carried out investigations from abroad about this money. I never spoke with Vassilev about problems of money.

Re examination

(Court) Filatov had different (bank) accounts. In regard to the companies I mentioned, it was only Filatov who signed. If I am not mistaken, it was Filatov alone who would sign (for) these companies.

Further cross examination of witness reserved.

This is in substance the evidence of Audrey Cefai dictated by the Court to the witness in her presence.

I declare that I transcribed the registration on the tape honestly and faithfully and to the best of my knowledge and abilities.

Doris Camilleri
Transcriber

I confirm on oath that this is a
faithful translation into English
of the original version in Maltese

M. Fikien
Madeleine Fikien
Legal Practitioner

